

called to the attention of the operator in writing and he shall be given an opportunity to demonstrate or achieve compliance with the requirements of the regulations in this part and instructions and directions issued thereunder.

[23 FR 10107, Dec. 23, 1958. Redesignated at 30 FR 4195, Mar. 31, 1965, and amended at 43 FR 11148, Mar. 17, 1978]

APPEALS

§ 355.39 Appeals from decisions made under this part.

Any appeal from a decision by an employee of the Program shall be made to his immediate superior having jurisdiction over the subject matter of the appeal.

REPORTS

§ 355.40 Plants to furnish information for reports.

Each day the operator of every inspected plant shall furnish the inspector assigned to that plant with a statement of the number of pounds of product certified by the inspector.

(Approved by the Office of Management and Budget under control number 0583–0036)

[23 FR 10107, Dec. 23, 1958. Redesignated at 30 FR 4195, Mar. 31, 1965, and amended at 47 FR 746, Jan. 7, 1982]

MULE MEAT AND ANIMAL FOOD, MULE MEAT BY-PRODUCT

§ 355.41 Antemortem and postmortem inspection for mules.

(a)(1) An antemortem examination and inspection shall be made of all mules about to be slaughtered for use in the preparation of products under this part, before their slaughter shall be allowed for such use. Such inspection shall be made on the day of slaughter.

(2) Mules found on such inspection to show symptoms of disease shall be set apart and slaughtered separately. Those found to be affected with strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), infectious anemia (swamp fever), dourine, acute influenza, generalized osteoporosis, glanders, farcy, or other

malignant disorder, acute inflammatory lameness or extensive fistula, shall be condemned and destroyed. Any mule which is suspected on antemortem inspection of being infected with glanders shall be tested with mallein, and any mule which on physical examination is suspected of being affected with dourine shall be held for further examination or for such test as the Administrator may prescribe.

(b)(1) A careful postmortem examination and inspection shall be made of all carcasses and parts thereof of all mules inspected under this section, at the time of slaughter. All carcasses and parts of mules found to be affected with any disease listed under paragraph (a) of this section shall be condemned and destroyed.

(2) Other carcasses and parts of mules found abnormal or diseased upon inspection under this section shall be disposed of in accordance with such provisions of the Meat Inspection Regulations (Subchapter A of this chapter) as are deemed applicable by the Administrator.

§ 355.42 Marking of mule meat and animal food mule meat by-product.

All mule meat and animal food mule meat by-product inspected under this part shall be marked and identified as the Administrator may require in any particular case.

[25 FR 1357, Feb. 16, 1960. Redesignated at 30 FR 4195, Mar. 31, 1965, and amended at 32 FR 13115, Sept. 15, 1967]

§ 355.43 Scope and applicability of rules of practice.

The rules of practice of the Department of Agriculture in subpart H of part I, subtitle A, title 7 of the Code of Federal Regulations, are the rules of practice applicable to adjudicatory, administrative proceedings under the regulations in this part (9 CFR part 355).

[43 FR 11148, Mar. 17, 1978]

PART 362—VOLUNTARY POULTRY INSPECTION REGULATIONS

Sec.

362.1 Definitions.

362.2 Types and availability of service.

362.3 Application for service.